

MAR 19 2015

David J. Bradley, Clerk of Court

A091 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

V.

Julie Ann PEREZ  
& Sarah Ann PEREZ

## CRIMINAL COMPLAINT

Case Number: C-15-319M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 3/18/2015 in Kenedy County, in the

(Date)

Southern District of Texas defendant(s), Julie Ann PEREZ & Sarah Ann PEREZ

each aiding, abetting and assisting one another, did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Official Title

See Attached Affidavit of U.S. Border Patrol Agent

David Smith

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

David Smith  
Signature of Complainant

Sworn to before me, signed in my presence, and probable cause found on:

David Smith

Printed Name of Complainant

March 19, 2015

Date

B. Janice Ellington, U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

B. Janice Ellington  
Signature of Judicial Officer

### Affidavit

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information related to me by other agents and officers participating in the investigation.

On March 18, 2015, Border Patrol Agent Haniel Iruegas was assigned Primary Inspection Duties at the Sarita, Texas Border Patrol Checkpoint. At approximately 3:55 a.m., a silver colored Land Rover Discovery, bearing Texas Temporary License Plate: 67K4709, with eight visible occupants, approached his position. Agent Iruegas was working with Border Patrol Agent Braulio Morales and his canine partner Rex-xx at the inspection point.

Agent Iruegas asked the driver (later identified as Julie Ann PEREZ) if she was a US citizen. Julie PEREZ stated that she was a US Citizen. He then asked the passenger (later identified as Sarah Ann PEREZ) if she was a US citizen. Sarah PEREZ stated that she was a U.S. Citizen. They were identified as sisters. Four passengers in the back seats of the SUV were identified as Julie PEREZ's children and were all minors. One of the older children had a small dog in their lap. All children were identified as United States citizens.

The agent also noted that there were two adult males in the back seats with the children. One of the adult males was sitting in the middle row of seats next to Julie PEREZ's oldest son. He was sitting behind Sarah PEREZ on the right passenger side of the vehicle. This man was later identified as Edwin RUIZ-Maradiaga. The other adult male was in the third row of seats and was later identified as Luis Antonio ANDINO-Gonzalez.

Agent Iruegas attempted to interview RUIZ and ANDINO regarding their citizenship and legal status in the United States. When questioned about their citizenship, neither RUIZ nor ANDINO would answer the agent. The agent noticed that ANDINO would not make eye contact with him either and was only staring straight ahead. Agent Iruegas asked ANDINO again if he was a United States citizen and ANDINO remained silent. He then asked Julie PEREZ how she knew ANDINO. She said that he is Sarah PEREZ's, her sister's, boyfriend.

While questioning all passengers Agent Morales advised Agent Iruegas that his canine partner Rex-xx was alerting and indicating to the rear hatch of the vehicle. Agent Iruegas then referred Julie PEREZ to the secondary inspection area for further inspection of the vehicle and further questioning of RUIZ and ANDINO regarding their citizenship.

Once in the secondary inspection lane it was determined that ANDINO and RUIZ were citizens and nationals of Honduras and were illegally present in the United States without any documents to allow them to be in the country legally. All subjects were immediately placed under arrest and escorted inside the checkpoint for further processing. The four adults in the vehicle were read their rights in their preferred

languages. All four stated that they fully understood their rights and that they were willing to make statements without the presence of an attorney. The four minor children of Julie PEREZ were released to the custody of a family member who picked them up from the checkpoint.

Border Patrol databases revealed that Julie PEREZ has been arrested administratively by Border Patrol agents on five other occasions with a total of 18 smuggled aliens. In January of 2011, Julie PEREZ and Sarah PEREZ were arrested together at the Falfurrias Border Patrol Checkpoint with one alien in the vehicle. Prosecution was declined in all of the prior cases.

Julie PEREZ stated that she was traveling with her children to Houston, Texas for spring break. She said that one of the men in the vehicle is her neighbor. She said that she agreed to drive her neighbor and his friend to Houston, Texas for free. She said that she was under the impression that they were United States citizens since one of them had a Texas I.D. card.

She said that her neighbor's name, who she claimed was in the vehicle with them, is Mario Alberto SALINAS. It was determined that RUIZ was in possession of that Texas I.D. card and said that Julie PEREZ had given it to him in the vehicle. According to RUIZ, he was instructed by Julie PEREZ to learn the name on the card.

Sarah PEREZ stated her sister, Julie PEREZ, called her the night before they were arrested and asked if she wanted to go to Houston, Texas. She said that when her sister picked her up, Julie PEREZ already had the two unknown men in the car with her kids. She said that she did not know the men were illegally present in the United States. She also said that no one was coached on what to say at the Border Patrol checkpoint. She said that she was not getting any financial gain from the trip and was only accompanying her sister to Houston, Texas.

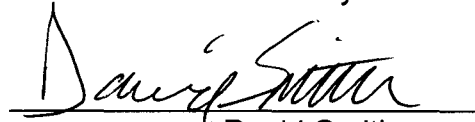
At the primary inspection point, however, Agent Iruegas reported that the driver, Julie PEREZ, stated that one of the men in the back was the boyfriend of her sister, Sarah PEREZ. Agent Iruegas made no note or mention of Sarah PEREZ disputing this claim made by her sister during the immigration interviews at the checkpoint primary inspection point.

The two smuggled aliens said that they entered the United States together, approximately three days before they were arrested in Sarita, Texas. They said that they were given directions to walk to a grocery store in McAllen, Texas and to look for a lady driving a grey Land Rover. They said that they found the lady and vehicle matching the description given to them by the smugglers and got into her vehicle. The woman in the grey Land Rover was positively identified by both smuggled aliens as Julie Ann

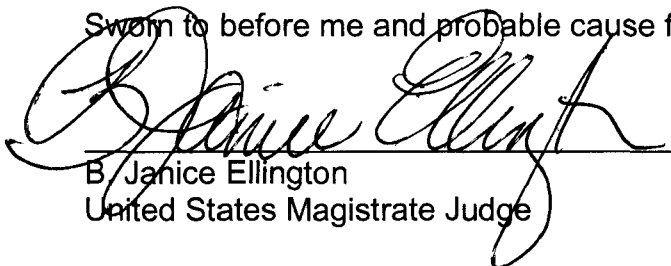
PEREZ. They said that Julie PEREZ took them to a trailer house on a ranch, where they stayed for two and a half days. After waiting at the trailer house, they said that Julie PEREZ picked them up in the same Land Rover. She brought them to a house, which they believed to be where she lives, since her four children were also at the house. They were told to shower while she had their clothes washed. They said that Julie PEREZ then loaded them into the same Land Rover, along with her children, and told them where to sit.

ANDINO stated that they stopped at another house to pick up the second lady, identified by both smuggled aliens as Sarah PEREZ. RUIZ did not specify exactly when Sarah PEREZ got into the vehicle, but did acknowledge that she was the front seat passenger in the vehicle. RUIZ said that he was advised by Julie PEREZ not to say anything when they reached the checkpoint. He also said that she handed him a Texas I.D. card and instructed him to learn the information on the card. ANDINO said that they were instructed by Julie PEREZ, while they were driving down the road, to answer "Yes, sir" to the Border Patrol Agent at the checkpoint. Neither smuggled alien said that they talked to Sarah PEREZ while on the road.

Assistant U.S. Attorney Lance Watt was contacted regarding Julie Ann PEREZ and Sarah Ann PEREZ and accepted prosecution of this case for violation of Title 8 USC 1324 (Alien Smuggling). Luis Antonio ANDINO-Gonzalez and Edwin Geovanny RUIZ-Maradiaga were held as material witness in this case.

  
David Smith  
Border Patrol Agent

Sworn to before me and probable cause found on this date, the 19<sup>th</sup> of March, 2015:

  
B. Janice Ellington  
United States Magistrate Judge